



**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS**

"To Enrich Lives Through Effective and Caring Service"

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P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

GAIL FARBER, Director

January 12, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

36 JANUARY 12, 2010

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**ADOPT, ADVERTISE, AND AWARD
STORM CHANNEL REPAIR
ARROYO SECO CHANNEL
CITIES OF LOS ANGELES AND SOUTH PASADENA
(SUPERVISORIAL DISTRICTS 1 AND 5)
(3 VOTES)**

SUBJECT

This action is to approve the project for the replacement of eroded and damaged concrete within the Arroyo Seco Channel in the Cities of Los Angeles and South Pasadena; adopt the plans and specifications; call for bids; and authorize the Director of Public Works or her designee to award, execute, and implement a consultant services agreement for preparation of a baseline construction schedule and storm water pollution prevention plan and a construction contract with a responsible contractor with the lowest responsive bid.

BID 2/9/10 @ 11:00 am

IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

1. Approve the project and adopt the plans and specifications for Arroyo Seco Channel, storm channel repair, in the Cities of Los Angeles and South Pasadena, at an estimated cost between \$1,200,000 and \$1,600,000.
2. Call for bids to be received on February 9, 2010.
3. Instruct the Executive Officer of the Board of Supervisors to advertise the project and seal and return the plans and specifications to the Department of Public Works for filing.
4. Authorize the Director of Public Works or her designee to award and execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule and surface water diversion plan for a \$20,000 not to exceed fee funded by existing project funds.
5. Authorize the Director of Public Works or her designee to award and execute a construction contract with the apparent responsible contractor with the lowest responsive bid within the estimated cost range, approve the Faithful Performance and Labor and Material bonds and insurance submitted by the contractor, and deliver the project.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to obtain the County of Los Angeles Board of Supervisors' (Board) approval to adopt and advertise for bids; authorize the Director of Public Works to award and execute a consultant services agreement and a construction contract with a responsible contractor with the lowest responsive bid for the repair of a reinforced concrete storm channel; and the performance of other appurtenant work.

The proposed consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule and storm water pollution prevention plan that conforms to the County of Los Angeles' (County) specifications is critical to successfully manage construction activities by both the contractor and the County, and a responsible contractor must be able to produce these deliverables. Bid specifications provide that if the apparent lowest bidder fails to complete acceptable deliverables, we may return to your Board to recommend that the bidder be determined nonresponsive and recommend awarding the construction contract to the next apparent responsible contractor with the lowest responsive bid contingent on that bidder completing deliverables that conform to the County's specifications.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). The recommended actions will help meet these goals by restoring the structural integrity and function of this storm drain channel.

The Honorable Board of Supervisors

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FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction cost to complete this project is in the range of \$1,200,000 to \$1,600,000. Funding for this project is included in the Fiscal Year 2009-10 Flood Control District Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Honorable Board of Supervisors

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This project, to contract for the replacement of eroded and damaged concrete within an existing storm channel, is part of the Department of Public Works' (Public Works) ongoing program for the maintenance and repair of flood control facilities. It will be advertised in accordance with Section 20991 of the State Public Contract Code.

This project is to be completed in 120 working days. It is estimated the work will start in April 2010 and be completed in October 2010.

Delegating to the Director of Public Works (Director) or her designee the authority to award and execute this construction contract allows an expedited contracting process to obtain a contractor for the storm channel repair of the Arroyo Seco Channel.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting your Board's ordinances, policies, and programs including, but not limited to: the County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the County's Defaulted Property Tax Reduction Program, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that; (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

On October 13, 2009, Agenda Item 20, your Board approved the environmental document for this project. The Mitigated Negative Declaration found that the project will not have a significant effect on the environment in accordance with the provisions of the California Environmental Quality Act.

CONTRACTING PROCESS

This project will be contracted on an open competitive bid basis. The award by the Director of Public Works or her designee will be made after review of the bids and determination of the lowest responsive bid and responsible contractor meeting the criteria established by your Board and the State Public Contract Code and successful completion of the deliverables provided through the consultant services agreement.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on the County website for upcoming bids.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the project is completed, it will have a positive impact by restoring the structural integrity and function of this storm drain channel.

CONCLUSION

Please return one adopted copy of this letter to Public Works, Construction Division.

Respectfully submitted,

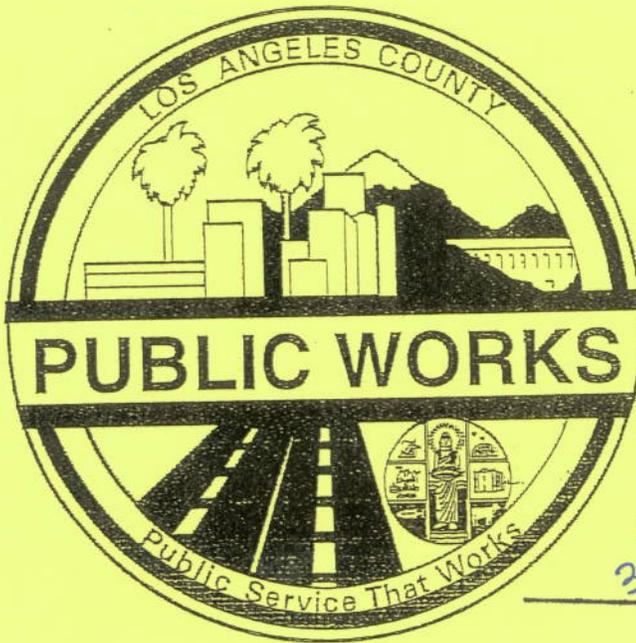


GAIL FARBER

Director

GF:JTS:lg

- c: Chief Executive Office (Lari Sheehan)
- County Counsel
- Executive Office
- Office of Affirmative Action Compliance



FILED
BOARD OF SUPERVISORS

36 of 1/2/10
DATE

SACHI A. HAMAI
EXECUTIVE OFFICER AND
CLERK OF THE BOARD OF SUPERVISORS

NOTICE INVITING BIDS,

SPECIAL PROVISIONS

By [Signature], Deputy

AND

SAMPLE AGREEMENT

FOR

PROJECT ID NO. FCC0000996

ARROYO SECO CHANNEL
Los Angeles River To Debris Dam



Approved, GAIL FARBER, Director of Public Works

By

Patrick V. Delhousis
Deputy Director

11-23-2009

Date